

Changes to Forms by the State Court Administrative Office After the Committee Meeting April, 2007

During the typesetting process, a number of forms reviewed and approved by the Michigan Court Forms Committee were further revised by the State Court Administrative Office in order to: 1) comply with appropriate standards, and 2) comply with law.

Also, two forms not on the agenda were revised. They are MC 233, Order for Fingerprints and CC 265, Notice of Right to Appellate Review and Request for Appointment of Attorney. MC 233 was revised because it is unnecessary for a photocopy of the fingerprint card to be provided to the court in addition to the certification. Therefore, the Certificate of Fingerprinting was revised to current requirements. CC 265 was revised because the subtitle for the Receipt of Notice of Appeal Rights contained inaccurate information about the application for leave to appeal. Therefore, that language was removed.

Some of the forms included in the list of minor changes at the beginning of the March 8, 2007, agenda were not revised because the corrections were deemed unnecessary. They are MC 81 and MC 281b.

The Committee approved two new forms in place of MC 07, however, distribution of these new forms has been delayed for several reasons: 1) they introduce a major change in practice that will have a significant impact on the practitioners and courts, and 2) the concept was a result of the meeting, and therefore, not published for comment. It was recommended to the Committee that either an adequate opportunity be provided to comment on this major change or an attempt be made to find another solution to comply with MCR 2.603 using the current form MC 07. The final result was the State Court Administrative Office retained the single page MC 07 form with a number of changes, including removing item 2. MC 07a would then be used for defaults for sum certain and MC 07 would be used for all other defaults.

Additional changes were made to MC 07a, MC 10, MC 12, MC 13, and MC 52 to more accurately reflect MCL 600.6103 and Michigan case law.

An additional change to MC 20 was adding reference to the district court magistrate, who can sign this order. An additional change to MC 219 was to correct a cite on the back. An additional change to MC 242 was to change in scope of item 1 pursuant to MCL 762.11.

Finally, all the forms reviewed and approved by the Michigan Court Forms Committee that contained a certificate of mailing were reviewed and appropriate standards applied. They included DC 119, MC 07, MC 07a, MC 10, MC 32, MC 55, MC 62, MC 218, MC 227, MC 233, MC 258, and MC 289. All the forms reviewed and approved by the Michigan Court Forms Committee that contained a proof of service were revised to contain a declaration in compliance with MCR 2.107(D). They included MC 12, MC 13, MC 52, and MC 256.